IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.15695 of 2004

Between:

Sri Krishna Goseva Mandal, Narsingi, Kokapet Road,
Ranga Reddy District, represented by its

Honorary Secretary Sri Sham Sunder Agarwal.

..... PETITIONER

AND

1 The District Panchayat Officer,

Ranga Reddy District, Hyderabad.
2 The Sarpanch, Gram Panchayat,
Narsingi, Rajendranagar Mandal,
Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or Direction in the nature of Mandamus or otherwise declaring the inaction of the 2nd respondent in implementing the orders of the first respondent in proceedings No.B3/3164/96 dated 25.5.1998 as arbitrary, illegal and consequently issue a mandamus to the second respondent to implement the said directions.

Counsel for the Petitioner: MR.VILAS V.AFZULPURKAR

Counsel for the Respondent Nos.1 and 2: GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT

The Court at the admission stage made the following:

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ORDER:

Sri Krishna Goseva Mandal seeks a Writ of Mandamus directing the second respondent to implement the orders of the first respondent in Proceedings No.B3/3164/96 dated 25.5.1998. It is the case of the petitioner that when the petitioner-Mandal approached the Gram Panchayat, Narsingi seeking permission for construction of compound wall, the same was rejected and therefore the petitioner filed an appeal before the District Panchayat Officer, who by Proceedings referred to herein above, directed the Sarpanch of Gram Panchayat to accord permission for construction of compound wall. The petitioner states that they went on making representations to the second respondent in vain and therefore, after long lapse of six years, they invoked the jurisdiction of this Court in the year 2004.

When, admittedly, the petitioner obtained favourable orders from the first respondent, nothing prevented the petitioner to approach the higher authorities for implementation of the orders. The mere allegation that the petitioner went on making representations is not a proper answer to the question of delay in approaching this Court. Be that as it is, after long lapse of time, a direction cannot be given to the respondents to implement the orders passed almost a decade ago. Therefore, the petitioner is given liberty to make further representation or application to the second respondent seeking permission for construction of compound wall. As and when such application is made, the second respondent shall consider the application of the petitioner in accordance with Section 120 of the A.P. Panchayat Raj Act, 1994 read with A.P. Gram Panchayat Land Development (Lay out and Building) Rules, 2002, expeditiously, within a period of two weeks after receipt of application. In this writ petition, no relief can be granted.

The writ petition, with the above observations, is dismissed.

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Date: September 2, 2004. (**V.V.S. RAO, J**)

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Panchayat Officer,

Ranga Reddy District, Hyderabad.

2 The Sarpanch, Gram Panchayat,
Narsingi, Rajendranagar Mandal,
Ranga Reddy District.

3 Two CCs to the Government Pleader for Panchayat Raj &

Rural Development, High Court of A.P., Hyderabad (O.U.T)

4 Two CD copies.